

EXHIBIT A



Memorial Sloan-Kettering
Cancer Center

**Personnel
Policy and Procedure
Manual**

Effective: 01/03/03 **Code #:** 0001 **Page** 1 of 4

Section: EMPLOYMENT

Subject: EQUAL EMPLOYMENT
OPPORTUNITY/AFFIRMATIVE ACTION

1.0 POLICY

- 1.1 It is the Center's policy to provide equal opportunity, in accordance with all applicable federal, state and local civil rights laws, to all of its employees and applicants for employment without regard to race, color, religion, gender, age, national origin, marital status, citizenship status, disability, veteran status or sexual orientation of qualified persons consistent with the Center's Affirmative Action Program.
- 1.2 The Center recruits, hires, trains, transfers, promotes, and terminates the employment of employees and administers all other personnel policies, without regard to race, color, religion, gender, age, national origin, marital status, citizenship status, disability, veteran status, or sexual orientation (except where age, disability, or gender is a bona fide occupational qualification).
- 1.3 Any complaint of discrimination or harassment based upon race, color, religion, gender, age, national origin, marital status, citizenship status, disability, veteran status, sexual orientation, or any other category protected by applicable law is to be referred immediately to an employee's supervisor. The employee's supervisor informs the Employee Relations Department of all discrimination complaints. However, employees may bring their complaints directly to any Employee Relations representative or any other MSKCC management-level employee for investigation and appropriate action. To the extent possible, such matters will be treated confidentially. There will be no retaliation against any employee who brings a complaint.

Supersedes: 01/15/00



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- 1.4 Questions or concerns about the possible violation of this policy are referred to the Employee Relations Department which will make such investigations and take such action as, in the Center's judgement, is appropriate in the circumstances.

AFFIRMATIVE ACTION PROGRAM

Under the requirements of all applicable federal, state, and local civil rights laws and regulations, the Center's Affirmative Action Program has three major goals:

1. to ensure equal opportunity for employees regardless of race, color, religion, gender, age, national origin, marital status, citizenship status, disability, veteran status, or sexual orientation whenever they are recruited, hired, transferred, promoted, compensated, terminated, retained, trained, or provided benefits and other terms, privileges, and conditions of employment;
2. to bring the employment and training opportunities available at this Center to the attention of those who might not be aware of them otherwise; and
3. to provide educational and job-related training opportunities in order to maintain and develop affirmative attitudes among managerial, professional, administrative, and supervisory personnel as well as other employees and to encourage self-development for meaningful employment and advancement.

In accordance with applicable laws, the Center is also committed to affirmative action in the employment of qualified disabled individuals, qualified disabled veterans and veterans covered by

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the Veterans Employment Opportunities Act. Some of the specific measures called for in the Affirmative Action Program to achieve these goals are:

1. continuous review and analysis of personnel data, practices, and policies to achieve and preserve equality of treatment for applicants as well as employees;
2. develop new recruitment sources in the community, schools, colleges, and universities to achieve the goals of affirmative action; and
3. broader dissemination of the equal opportunity policy and affirmative action measures both within and outside the Center.

When measures such as these are effective in achieving our goals, they will be continued. Those that are no longer effective will be revised to ensure that the intended objectives of the Center's Affirmative Action Program are met. Thus by periodic evaluations and as circumstances change, the Affirmative Action Program may be expected to change in its procedures but not in its fundamental goals.

2.0 PROCEDURES

- 2.1 An employee who believes he or she is being harassed or discriminated against may inform the individual who is the source of the perceived harassment or discrimination that the employee is offended by the behavior and request that it be stopped.



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- 2.2 If the employee does not feel comfortable discussing the perceived harassment or discrimination directly, the employee may report the harassment or discrimination to his or her supervisor, any other MSKCC management level employee, or any representative of the Employee Relations Department.
- 2.3 If the harassment or discrimination complaint is reported to someone other than a representative of the Employee Relations Department, the individual hearing the complaint must report it to the Employee Relations Department.
- 2.4 The Employee Relations Department will investigate the complaint, ensuring confidentiality to the extent possible during the investigation.
- 2.5 Based on the findings of the investigation, the Employee Relations Department will recommend appropriate management action, if any, to be taken.
 - 2.5.1 Based on discussions with management, the Employee Relations Department will finalize the agreed upon actions.
- 2.6 A representative of the Employee Relations Department and/or appropriate management, informs both the employee complaining of harassment or discrimination and the individual alleged to have harassed or discriminated against the complainant of the results of the investigation.
- 2.7 The Employee Relations Department and appropriate management will ensure that the action they have agreed to take is carried out.